

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

15CV1326

PLAINTIFFS

Jennifer Adler, Ian Anderson, Jennifer Becker, Craig Benson, Paola Biraschi, Karen Brewer, William Broadbent, David Brooks, Guillemette Callies, Patrick Cremin, Michael Collier, Joseph D'Amadeo, John Dmuchowski, Nestor De Jesus, Steven Engel, Louis Goldstein, Michael Green, Anshuman Goyal

DEFENDANTS

Lehman Brothers Holding, Inc.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Stamell & Schager, LLP, 555 Fifth Avenue, 14th Floor, New York, New York 10017; Tel: 212-566-4047

ATTORNEYS (IF KNOWN)

Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153; Tel: 212-310-8000

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Chapter 11 Bankruptcy; opposition to reclassification of RSU claims as equity under 11 U.S.C. 510(b) subordination

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/	<input type="checkbox"/> 625 DRUG RELATED	<input checked="" type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> PHARMACEUTICAL PERSONAL	<input type="checkbox"/> SEIZURE OF PROPERTY	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> INJURY/PRODUCT LIABILITY	<input type="checkbox"/> 21 USC 881	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> REAPPORTIONMENT
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 150 INSTRUMENT	<input type="checkbox"/> SLANDER	<input type="checkbox"/> PRODUCT LIABILITY			<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 151 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL			<input type="checkbox"/> 450 COMMERCE
<input type="checkbox"/> 152 OVERPAYMENT &	<input type="checkbox"/> EMPLOYERS'	<input type="checkbox"/> INJURY PRODUCT			<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> 153 ENFORCEMENT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> LIABILITY		PROPERTY RIGHTS	<input type="checkbox"/> 470 RACKETEER INFLU-
<input type="checkbox"/> 154 OF JUDGMENT	<input type="checkbox"/> 340 MARINE	PERSONAL PROPERTY		<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> ENCED & CORRUPT
<input type="checkbox"/> 155 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT	<input type="checkbox"/> 370 OTHER FRAUD		<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> ORGANIZATION ACT
<input type="checkbox"/> 156 RECOVERY OF	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING		<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> (RICO)
<input type="checkbox"/> 157 DEFAULTED	<input type="checkbox"/> 350 MOTOR VEHICLE				<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> 158 STUDENT LOANS	<input type="checkbox"/> 355 MOTOR VEHICLE				<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 159 (EXCL VETERANS)	<input type="checkbox"/> PRODUCT LIABILITY			SOCIAL SECURITY	<input type="checkbox"/> 850 SECURITIES/
<input type="checkbox"/> 160 RECOVERY OF	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> 380 OTHER PERSONAL	LABOR	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> COMMODITIES/
<input type="checkbox"/> 161 OVERPAYMENT	<input type="checkbox"/> INJURY	<input type="checkbox"/> PROPERTY DAMAGE	<input type="checkbox"/> 710 FAIR LABOR	<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> EXCHANGE
<input type="checkbox"/> 162 OF VETERAN'S	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> STANDARDS ACT	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 890 OTHER STATUTORY
<input type="checkbox"/> 163 BENEFITS	<input type="checkbox"/> MED MALPRACTICE	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 720 LABOR/MGMT	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> ACTIONS
<input type="checkbox"/> 164 STOCKHOLDERS		PRISONER PETITIONS	<input type="checkbox"/> RELATIONS	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 AGRICULTURAL ACTS
<input type="checkbox"/> 165 SUITS		<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 740 RAILWAY LABOR ACT		
<input type="checkbox"/> 166 CONTRACT	ACTIONS UNDER STATUTES	<input type="checkbox"/> 510 MOTIONS TO	<input type="checkbox"/> 751 FAMILY MEDICAL	FEDERAL TAX SUITS	
<input type="checkbox"/> 167 CONTRACT	CIVIL RIGHTS	<input type="checkbox"/> VACATE SENTENCE	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or	<input type="checkbox"/> 893 ENVIRONMENTAL
<input type="checkbox"/> 168 PRODUCT	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS	<input type="checkbox"/> 28 USC 2255	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> Defendant)	<input type="checkbox"/> MATTERS
<input type="checkbox"/> 169 LIABILITY	<input type="checkbox"/> (Non-Prisoner)	<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> 895 FREEDOM OF
<input type="checkbox"/> 170 FRANCHISE	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 26 USC 7609	<input type="checkbox"/> INFORMATION ACT
	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 540 MANDAMUS & OTHER	<input type="checkbox"/> 740 RAILWAY LABOR ACT		<input type="checkbox"/> 896 ARBITRATION
	<input type="checkbox"/> 443 HOUSING/		<input type="checkbox"/> 740 RAILWAY LABOR ACT		<input type="checkbox"/> 899 ADMINISTRATIVE
REAL PROPERTY	<input type="checkbox"/> 444 ACCOMMODATIONS	PRISONER CIVIL RIGHTS	IMMIGRATION		<input type="checkbox"/> PROCEDURE ACT/REVIEW OR
<input type="checkbox"/> 210 LAND	<input type="checkbox"/> 445 AMERICANS WITH	<input type="checkbox"/> 550 CIVIL RIGHTS	<input type="checkbox"/> 462 NATURALIZATION		<input type="checkbox"/> APPEAL OF AGENCY DECISION
<input type="checkbox"/> 220 CONDEMNATION	<input type="checkbox"/> DISABILITIES -	<input type="checkbox"/> 555 PRISON CONDITION	<input type="checkbox"/> APPLICATION		<input type="checkbox"/> 950 CONSTITUTIONALITY OF
<input type="checkbox"/> 230 FORECLOSURE	<input type="checkbox"/> EMPLOYMENT	<input type="checkbox"/> 560 CIVIL DETAINEE	<input type="checkbox"/> 465 OTHER IMMIGRATION		<input type="checkbox"/> STATE STATUTES
<input type="checkbox"/> 240 RENT LEASE &	<input type="checkbox"/> 446 AMERICANS WITH	<input type="checkbox"/> CONDITIONS OF CONFINEMENT			
<input type="checkbox"/> 250 EJECTMENT	<input type="checkbox"/> DISABILITIES -OTHER				
<input type="checkbox"/> 260 TORTS TO LAND	<input type="checkbox"/> 448 EDUCATION				
<input type="checkbox"/> 270 TORT PRODUCT					
<input type="checkbox"/> 280 LIABILITY					
<input type="checkbox"/> 290 ALL OTHER					
<input type="checkbox"/> REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1 DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)
c/o Stamell & Schager, LLP
555 Fifth Avenue, 14th Floor
New York, New York 10017

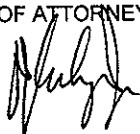
DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)
c/o Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, New York 10153

DEFENDANT(S) ADDRESS UNKNOWN
REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 12/30/14 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #



ADMITTED TO PRACTICE IN THIS DISTRICT
[] NO
[X] YES (DATE ADMITTED Mo. Oct. Yr. 1991)
Attorney Bar Code # RS5875

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)